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Chicago Mercantile Exchange

20 South Wacker Drive  
Chicago, IL 60606-7499  
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April 4, 2005

Ms. Jean A. Webb  
Office of the Secretariat  
Commodity Futures Trading Commission  
Three Lafayette Centre  
1155 21<sup>st</sup> Street, NW  
Washington, DC 20581

**RE: CME Rule 443.B. (Subsequent Violations Following a Warning Letter)  
Submission No. 05-35**

Dear Ms. Webb:

Chicago Mercantile Exchange Inc. ("CME" or "Exchange") hereby notifies the Commission that the Exchange has approved a nonmaterial revision to Rule 443.B. in CME's Rulebook.

The addition to Rule 443.B. is underlined and the deletion is lined out.

The Exchange certifies that this revision neither violates nor is inconsistent with any provision of the Commodity Exchange Act or of the rules and regulations thereunder.

If you have any questions regarding this matter, please call me at (312) 648-5422.

Sincerely,

/s/ Stephen M. Szarmack  
Director and Associate General Counsel

**443. SPECULATIVE AND HEDGE POSITION LIMIT VIOLATIONS**

(The beginning of the rule is unchanged.)

**443.B. Subsequent Violations Following a Warning Letter**

A subsequent speculative position limit violation within 12 months of the issuance of a warning letter shall constitute a rule violation which may result in the issuance of a cease and desist order by the Market Regulation Department to the members, associated persons and clearing members involved, which shall be posted.

If a customer exceeds the speculative position limits after having received a warning letter for a previous violation of this rule, the customer will be issued a second warning letter, with copies sent to the appropriate parties, stating that a third violation ~~will~~may result in a hearing to consider denial of access to the market.

(The remainder of the rule is unchanged.)